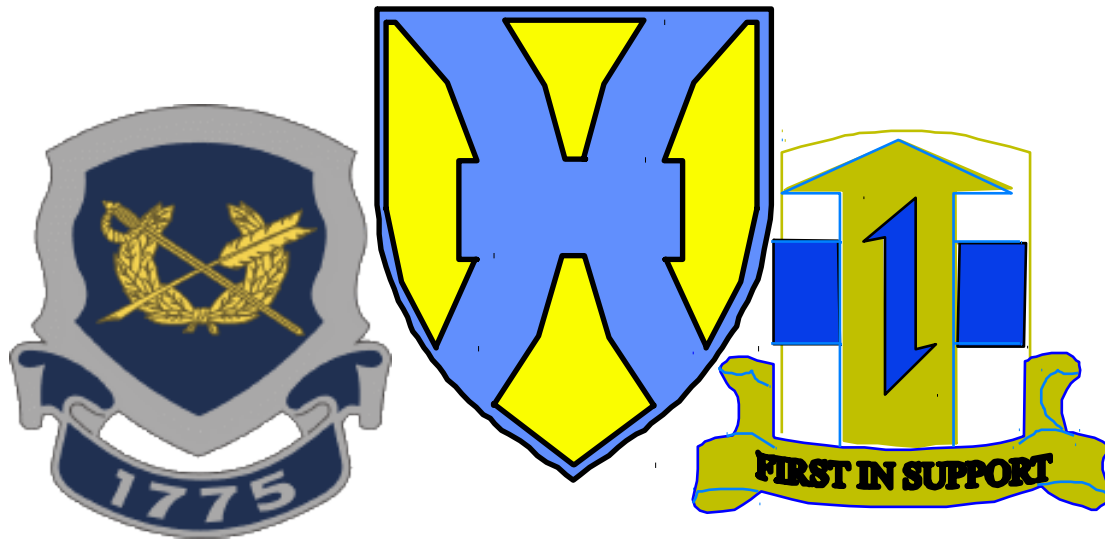


Kaiserslautern Legal Services Center



In Processing Brief

CONTACT INFO

Building 3210, Kleber Kaserne

- **Legal Assistance**

- DSN: 483-8848; CML: 0631-411-8848
- Hours: M-W, F 0900-1200 & 1300-1600
Th 1300-1600

- **Claims**

- DSN: 483-8855/8856; CML: 0631-411-8855/8856
- Hours: M-W, F 0900-1130 & 1300-1530
Th 1300-1530

- **Tax Center**

- DSN: 483-7688; CML: 0631-411-7688
- Hours: 0900-1600 M-F

Examples of Legal Services

- **Walk-in services:** Powers of attorney, certified copies, notarization
- Separation agreements, wills, consumer law
- Financial Liability Investigation (FLIPL) rebuttals
- General Officer Reprimand (GOMOR) rebuttals
- Landlord/tenant issues, contract issues
- Taxes
- Immigration, dependency determinations
- Civilian Misconduct
- **JAG cannot help you with suits against the US or with employment issues**

Preventive Law

- If you haven't established residency in the state, then don't claim it on your taxes!
 - For example: Alaska, Florida, Nevada, New Hampshire, South Dakota, Tennessee, Texas, Washington, or Wyoming
- Don't shoplift
- Bring in court documents ASAP
- Don't download movies or music unless you purchase them from a legitimate website like iTunes or Amazon
- If you have a German cell phone contract, give written termination notice at least 90 days prior to your PCS date
- Don't drink and drive

Status of Forces Agreement

The Status of Forces Agreement (SOFA) is an agreement between the U.S. and Germany that dictates which German laws and taxes U.S. Servicemembers and personnel are subject to.

Criminal Jurisdiction

Allows U.S. military courts to prosecute Servicemembers for crimes committed in Germany.

HOWEVER: Family members, civilians, and contractors all remain under German criminal jurisdiction!

Civil Jurisdiction

German civil courts retain jurisdiction over Servicemembers, family members, civilians, and contractors.

EXAMPLES: Traffic tickets, paternity questions, civil lawsuits

Service of process will come through your chain of command or the Legal Liaison's Office

DUIs in Germany

In Germany, a BAC **BELOW** the U.S. / UCMJ standard will result in administrative fines and may be criminal!

German BAC (U.S. Scale)	Off Base German Legal System
.001 - .051 (< 21 yrs or beginner driver)	250 Euro Administrative Fine
.052 - .114 without accident	Administrative Offense 1 st offense = 500 Euro fine + 1 month suspension 2 nd offense = 1000 Euro fine + 3 month suspension 3 rd offense = 1500 Euro fine + 3 month suspension
> .115 without accident	Criminal Offense Fine + at least 6 month suspension (license revocation possible)
.032 or > with accident (property damage)	Criminal Offense Fine + at least 6 month suspension (license revocation possible)
.032 or > with accident	Criminal Offense Jail time + Fine + at least 1 year suspension

DUIs & Military Consequences

BAC (U.S. Scale)	AER 190-1	UCMJ
.001 - .049 (< 21 yrs)	Mandatory Suspension 1 st offense = 30 days 2 nd offense = 60 days 3 rd offense = 90 days	
.032 or > with accident	Revocation likely + GOMOR (reduction in rank, bar to reenlistment, and/or separation possible)	Article 15
.050 - .079	Mandatory 90 day suspension	
.080 - .099 off post	Mandatory revocation	
.080 -.099 on post	Mandatory revocation + GOMOR (reduction in rank, bar to reenlistment, and/or separation possible)	
0.1 or >	Mandatory revocation + GOMOR (reduction in rank, bar to reenlistment, and/or separation possible)	Article 15
Refusing to take or complete a lawfully requested chemical test	Mandatory revocation + GOMOR (reduction in rank, bar to reenlistment, and/or separation possible)	

Other Consequences of Alcohol

Impaired CONSENT +

Lowered JUDGMENT =

RAPE or SEXUAL ASSAULT Allegations

Off-Limits Activities

- **Drugs**

- NEVER legal for Servicemembers!!
 - Not even if you are visiting a place, like Amsterdam, where drugs are legal for civilians
 - NOT even if you visit an Apothecary that will sell you prescription medications over-the-counter

- **Prostitutes**

- NEVER legal for Servicemembers!!
 - Subject to charges under Article 134

Off-limits Establishments

Published in the AE Circular 190-24

Arya Club
Steinstraße 56
67657
Kaiserslautern

Autohaus Mayer
Kaiserstraße 87
66892 Bruchmühlbach-
Miesau

James Brown
[cleaning business]
Obergasse 20
67685 Kaiserslautern

Martin Massa
[cleaning business]
Turnerstraße 70
67659
Kaiserslautern

Marco Banf Transport
(MBT and BTM)
[moving company]
Kirchdell 16
67661 Kaiserslautern

Gisela Smith/
Herbert Sator
[sellers of dogs]
Steinwendener Straße
23a
66879 Kottweiler

Axel Burghammer
[car sales]
Am Bachgraben 11
66849 Landstuhl

AP Bausysteme GmbH
(Angelika Picker)
Kaiserstraße 15
66955 Pirmasens

Ramona Fröhlich
[daycare business]
Hebelstraße 12
67734 Katzweiler

Black Sounds Club
(Tuncay Altay)
Raiffeisenstraße 19
66849 Landstuhl

Brigitte Weinand
[daycare business]
Weberstraße 21
66862 Kindsbach

CLAIMS

Household Goods/Hold Baggage

- Meet with a Claims Examiner ASAP!
- You must give written notice to the carrier within **75 days** of delivery to receive Full Replacement Value for lost or damaged goods.
- If you miss this deadline, then all you can recover is the depreciated value of your goods only if there is a valid claim against the U.S. government

JOINT STATEMENT OF LOSS OR DAMAGE AT DELIVERY			
Privacy Act Statement			
AUTHORITY:		The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 31 U.S.C. 3721 et seq., 31 U.S.C. 3711 et seq., and EO 9397, November 1943 (SSN).	
PRINCIPLE PURPOSE(S):		The information requested is to be used in evaluating claims.	
ROUTINE USE(S):		The information requested is used in the settlement of claims for loss, damage or destruction of personal property and recovery from liable third parties.	
DISCLOSURE:		Voluntary; however, failure to supply the requested information or to execute the form may delay or otherwise hinder the payment of your claim.	
GENERAL INSTRUCTIONS: The carrier's/contractor's representative will complete and sign DD Form 1840 and obtain the signature of the member or member's agent. The member or member's agent will not, under any circumstances, sign a blank or partially completed DD Form 1840. Three completed copies of DD Form 1840 and blank DD Forms 1840R will be provided the member or member's agent by the carrier's/contractor's representative for each shipment. If no loss or damage is involved, write "NONE" in description column.			
SECTION A - GENERAL (To be completed by carrier/contractor)			
1. NAME OF OWNER (Last, First, Middle Initial)	2. SOCIAL SECURITY NO.	3. RANK OR GRADE	4. NET WT OF SHIPMENT
CLAIMANT, Claudia	000-55-7777	E5	
5. ORIGIN OF SHIPMENT (City and State/Country)	6. DESTINATION OF SHIPMENT (City and State/Country)		
Ft. Rucker, AL	Mannheim, Germany		
7. PPGB/ORDER NUMBER	8. PICKUP DATE	9. NAME AND ADDRESS OF CARRIER/CONTRACTOR	
JP-123557	9 Dec 06	Logistics Int	
10. CODE OF SERVICE	11. SCAC	12. CARRIER/CONTR REF. NO.	
4	IGSC		
SECTION B - RECORD OF LOSS OR DAMAGE (To be completed jointly by member and carrier's/contractor's representative)			
13. Notice is hereby given to the carrier/contractor to whom this statement is surrendered that the shipment was received in condition as shown below and the claim, if any, will be made for such loss or damage as indicated subject to further inspection and notification to the claims office within 70 days by DD Form 1840R found on the reverse side hereof. THE VALUE INDICATED IN BLOCK 14c IS TO BE USED FOR QUALITY CONTROL ONLY.			
a. Inv. No.	b. Name of item	c. Description of loss or damage (If missing, so indicate)	
14	52" Panasonic CTV, ser# 9998763	mal FS 5297	
253	entire Cartan of Figurines mis. 3 Blandres, 4 Hummel, small #s...	dropped by movers, broken in pieces, Bzavovskis	
14. ACKNOWLEDGMENT BY MEMBER OR AGENT (X and complete as applicable and sign below)			
a. I received my property in apparently good condition except as indicated above. A continuation sheet <input type="checkbox"/> was <input checked="" type="checkbox"/> was not used. b. Unpacking and removal of packing material, boxes, cartons, and other debris <input type="checkbox"/> is <input checked="" type="checkbox"/> is not waived. c. I estimate the amount of my loss and/or damage at \$ 5000- d. I have received three copies of this form. I understand that I have 70 days to list any further loss and/or damages on the back of this form and give this to the nearest claims office, and that failure to do so may result in my being paid a smaller amount on a claim.			
15. ACKNOWLEDGMENT BY CARRIER'S/CONTRACTOR'S REPRESENTATIVE (X and complete as applicable and sign below)			
a. Property was delivered in apparently good condition except as otherwise noted above. b. I will initiate tracer action for missing items. c. Name of delivering carrier/agent/contractor Rubino Transporte Ludwigsburg d. Storage in transit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No e. Signature <i>[Signature]</i> f. Date Signed 9 Jan 07			
DD Form 1840, JAN 88		Previous editions are obsolete.	
510013		PAGE 5 OF 5 Copy 5 - Member	

CLAIMS

Household Goods/Hold Baggage

REMEMBER TO:

- Keep your damaged goods - do NOT throw anything away (even after the carrier's inspection) until your claim is fully adjudicated
- Keep receipts/Proof of Ownership
- Keep a detailed inventory of your goods
 - To include serial numbers, brand names, identifying characteristics
- Plug in your electronic equipment upon delivery

Privately Owned Vehicle Claims

- Arrive early!
 - Check your vehicle from top to bottom, inside and out, and look for leaking fluids and mildewed floorboards before you drive away!
 - Most claims are handled immediately at the Vehicle Processing Center (VPC)
 - If you accept cash on the spot, you agree your claim is final
- resolve the issues with the VPC, visit the VPC ASAP!

AMERICAN AUTO LOGISTICS VEHICLE INSPECTION AND SHIPPING FORM

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
VEHICLE IDENTIFICATION NUMBER	VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH
VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT

INSPECTED IN MY PRESENCE, CONDITION ACKNOWLEDGED AS CHECKED BELOW, AND CONDITIONS GOVERNING SHIPPING OF REVERSE ACCEPTED

DATE OF INSPECTION: _____ DATE OF SHIPMENT: _____

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

Customer's Initials: _____ MS - Extremely light scratches or nail marks cleaned from cleaning or buffing. Small sand or grit particles have light scratches or paint.

Model / Year / Package / L/P Door / L/R Door / L/R Panel / R/Fender / R/P Door / R/R Door / R/LR Panel / Rear Bumper / R/Bumper

Customer's Initials: _____ MS - Extremely light scratches or nail marks cleaned from cleaning or buffing. Small sand or grit particles have light scratches or paint.

Model / Year / Package / L/P Door / L/R Door / L/R Panel / R/Fender / R/P Door / R/R Door / R/LR Panel / Rear Bumper / R/Bumper

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

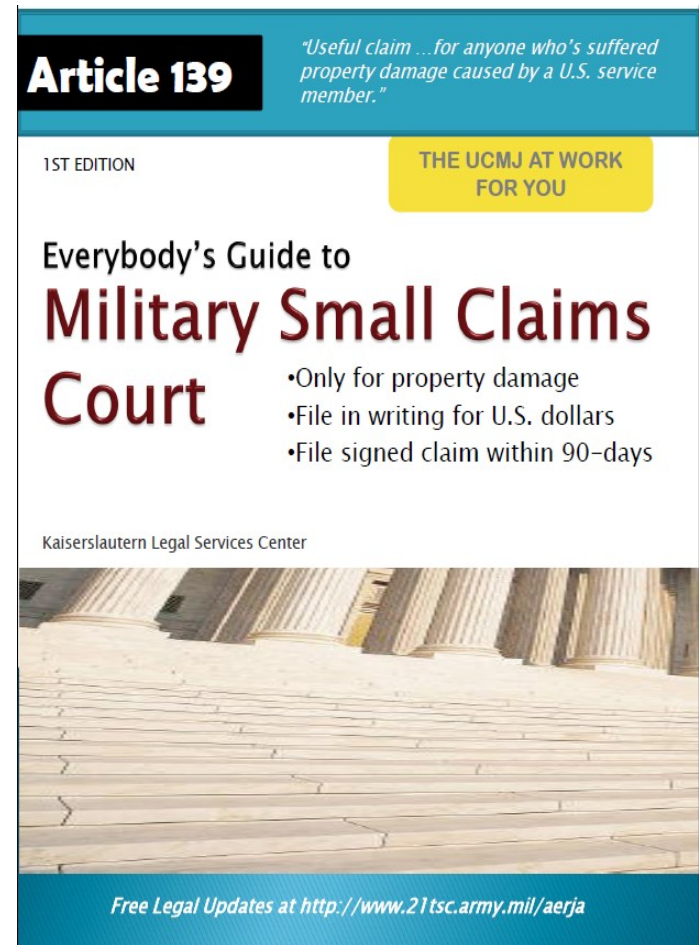
VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X	T							
+								
0								

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE TYPE	VEHICLE COLOR	VEHICLE WEIGHT	VEHICLE LENGTH	VEHICLE WIDTH	VEHICLE HEIGHT
X								

CLAIMS

Article 139 of the UCMJ

- Commanders may direct collection and pay a claim for property that U.S. service member willfully damaged or wrongfully took.
- Article 139 claims cannot be filed for a personal injury, breach of contract, unpaid bills, or a bad check



CLAIMS

Affirmative Claims

- If the U.S. government provided medical care to you or your dependents or paid to have government property repaired or replaced, let your local military claims office know ASAP!
- Under federal law, the U.S. can pursue reimbursement actions, in the form of an affirmative claim, against an individual and their insurance company.

Kaiserslautern Legal Services Center



Questions?